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7 Attorney for Clayton John

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 CLAYTON JOHN,

14 Defendant.

Case No. 2:11-cr-00252-GMN-CWH
Case No. 2:17-cr-00323-APG-CWH

**STIPULATION TO CONSOLIDATE
CASES**

(First Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,
17 Acting United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
19 and Sunethra Muralidhara, Assistant Federal Public Defender, counsel for Clayton John, jointly
20 move the Court to consolidate the above captioned cases under a single case number, preferably
21 2:17-cr-00323-APG-CWH.

22 This Stipulation to Consolidate is entered into for the following reasons:

23 1. On October 11, 2017, Mr. John made his initial appearance on a revocation of
24 supervised release petition in Case No. 2:11-cr-00252-GMN-CWH. In addition to the
25 revocation of supervised release petition, Mr. John has a pending criminal indictment in Case
26 No. 2:17-cr-00323-APG-CWH. The revocation of supervised release hearing is currently set

1 for January 10, 2018 at 8:00 am. The calendar call is currently set for March 6, 2018 at 8:45
2 am and trial for March 12, 2018 at 9:00 am on the pending criminal indictment case. The
3 violation of supervised release petition and the criminal indictment allege the same criminal
4 conduct.

5 2. The parties are in the process of negotiating a global resolution in the revocation
6 petition 2:11-cr-00252-GMN-CWH and in the pending criminal indictment 2:17-cr-00323-
7 APG-CWH. Because the criminal indictment and revocation of supervised release petition are
8 inextricably linked they should be consolidated. Additionally, the interests of judicial economy
9 and efficiency would be served by joining the matters. Thus the parties would request the
10 matters be consolidated and the revocation hearing set on the same day as sentencing and held
11 first in time in accordance with the court's schedule.

12 3. The parties respectfully request that Mr. John's supervised release hearing
13 before Judge Gloria M. Navarro be vacated and reset before Judge Andrew P. Gordon.

14 DATED this 7th day of December, 2017.

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16 RENE L. VALLADARES
Federal Public Defender

STEVEN W. MYHRE
Acting United States Attorney

17
18 */s/ Sunethra Muralidhara*
19 By _____
20 SUNETHRA MURALIDHARA
Assistant Federal Public Defender

/s/ Phillip N. Smith, Jr.
By _____
PHILLIP N. SMITH, JR.
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 CLAYTON JOHN,

7 Defendant.

Case No. 2:11-cr-00252-GMN-CWH

Case No. 2:17-cr-00323-APG-CWH

ORDER

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10 **ORDER**

11 IT IS ORDERED that the two cases 2:11-cr-00252-GMN-CWH and 2:17-cr-00323-
12 APG-CWH be consolidated and combined before the honorable Judge Andrew P. Gordon.

13 IT IS FURTHER ORDERED that the Revocation Hearing currently scheduled for
14 January 10, 2018, at the hour of 8:00 a.m. before Judge Gloria M. Navarro, be vacated and
15 continued to April 19, 2018 at the hour of 9:30 a.m. before Judge Andrew P. Gordon
16 in Courtroom 6C.

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18 _____
19 UNITED STATES DISTRICT JUDGE
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